

IN THE UNITED STATES BANKRUPTCY COURT, DISTRICT OF PUERTO RICO

IN RE: IVELISSE FELICIANO FIGUEROA

Bankruptcy Number: 13-02066-BKT
Chapter 13

STANDING CHAPTER 13 TRUSTEE §341 MEETING MINUTES AND REPORT ON CONFIRMATION

Petition Filing Date: 03/17/2013

First Meeting Date: 04/19/2013 at 8:00AM

Days From Petition Date: 59

341 Meeting Date: 05/15/2013 at 8:00AM

910 Days Before Petition: 09/17/2010

Confirmation Hearing Date: 05/17/2013 at 2:30PM

Chapter 13 Plan Date: 03/19/2013 ☐ Amended

Plan Base: \$6,250.00 Plan Docket # 9

This is Debtor(s) 1 Bankruptcy petition.

This is the 2 scheduled meeting.

Payment(s) ☐ Received or ☐ Evidence shown at meeting:

Total Paid In: \$125.00

Check/MO# _____

Date: _____ Amount: \$ _____

I. Appearances: ☐ Telephone ☐ Video Conference

Debtor: ☒ Present ☐ Absent ☐ ID & Soc. OK

Joint Debtor: ☐ Present ☐ Absent ☐ ID & Soc. OK

☒ Examined ☐ Not Examined under Oath

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Attorney for Debtor(s): ☐ Not Present ☒ Present Name of Attorney Present: _____ ☐

Pro-se

☐ Creditor(s) Present ☒ None (Other than Attorney of Record)

BPPR -- Herrera

II. Attorney Fees as per R 2016(b) Statement: Attorney of Record: JUAN O CALDERON LITHGOW*

Total Agreed: \$3,000.00 Paid Pre-Petition: \$0.00 Outstanding (Through the Plan): \$3,000.00

III. Trustee will file Motion to Dismiss: ☐ For Failure to Appear ☐ For Failure to Commence Payments

IV. Trustee's Report on Confirmation & Status of §341 Meeting

Debtor(s) Income is (are) ☐ Under ☒ Above Median Income

Liquidation Value: \$ _____

Commitment Period is ☐ 36 months ☒ 60 months §1325(b)(1)(B)

Projected Disp. Inc.: \$ 0.00

The Trustee: ☐ NOT OBJECTS ☒ OBJECTS Plan Confirmation Gen. Uns. Approx. Dist.: ____ %

§341 Meeting ☐ CONTINUED ☐ NOT HELD ☐ CLOSED ☒ HELD OPEN FOR 14 DAYS

§341 Meeting Rescheduled for: _____

Comments:

V. Trustee's OBJECTIONS to Confirmation:

[1322(d)(1)] Plan fails to comply with Applicable Commitment Period.

Debtor is an above-median income Debtor. Plan must be for 60 months.

[1325(a)(1)] Failure to comply with her/his/their duties.[11 U.S.C.704(a)(4) and 1302(b)(1)]

Debtor must submit employment certification stating the amount that she earned in each of the six months prior to filing bankruptcy.

[1325(a)(4)] Plan fails Creditors Best Interest Test.

Debtor must amend Schedule B to list other bedroom sets, living and dining sets.

[1325(a)(9)] Tax Requirements – Debtor(s) fails to comply with Tax Return filing requirement of [1308].

Debtor must submit evidence of filing 2011 Puerto Rico tax return.

[1325(b)(1)(B)] Projected Disposable Income – Debtor(s) fails to apply projected disposable income, to be received during applicable commitment period, to make payments to unsecured creditors under the plan. [1322(a)(1)]

Debtor must amend Schedule I to include income from Christmas bonus.

Debtor must submit maturity date of car loan. Car is in daughter's name, but Debtor uses it. If maturity date is within the life of the plan, monthly plan payments must increase.

VI. Other Comments / Objections

Puerto Rico tax refund 2012 of approximately, \$2,900.00. Debtor must either include it in Schedule B or submit the same to the Trustee. If Debtor needs to use it, she must request court permission to do so.

NOTE: Homestead Deed was executed 2/15/2013 and presented in Property Registry 2/21/2013, both prior to filing bankruptcy. Homestead Deed and minute of presentation, reviewed at 341 meeting, must be uploaded.

Debtor to review amount of attorneys' fees to be paid. 2016 states that amount owed is \$3,000.00 and plan states that amount owed is \$2,700.00.

/s/ Jose R. Carrión, Esq. /s/ Alexandra Rodriguez, Esq. Meeting Date: May 15, 2013
Trustee Presiding Officer